



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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10/24/03
SP

In the Patent Application of:

RICHARD S. MILLER

David S. MILLER

Application No.: 09/776,707

Confirmation No.: 5703

Filed: February 6, 2001

For: SYSTEM FOR COLLECTING
TAX DATA (As Amended)

Art Unit: 3623

Examiner: M. Irshadullah

Attorney Docket No. 31921-169140

Customer No.

26694

Comments on Statement of Reasons for Allowance

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Statement of Reasons for Allowance accompanying the Notice of Allowability mailed July 30, 2003, the Applicant provides the following comments on the the Statement of Reasons for Allowance. The comments are provided so as to deter any unwarranted interpretations of the claims. See M.P.E.P. § 1302.14.

First, as per claims 21, 26, and 50, in the Notice of Allowability on page 2 in section 4, the Examiner states that the prior art does not “teach or suggest: a taxpayer providing the information about tax data providers to an electronic intermediary” (emphasis added). However, this limitation is not recited in any of the three independent claims and is not required by the prior art. The claimed invention does not require that the taxpayer provide any information about tax data providers to the electronic intermediary. Instead, the claimed invention recites the collecting electronically tax data from the tax data provider, and the Examiner’s comments are not to be used to interpret claims 21, 26, and 50.

Second, as per claims 21, 26, and 50, in the Notice of Allowability on page 2 in section 4, the Examiner states that the prior art does not "teach or suggest:... the intermediary via electronic connections directly gathering (collecting) the tax data relating to the taxpayer" (emphasis added). However, this limitation is not recited in any of the three independent claims and is not required by the prior art. Instead, the claimed invention includes that the tax data can be collected directly and/or indirectly, and the Examiner's comments are not to be used to interpret claims 21, 26, and 50.

Third, as per claims 21, 26, and 50, in the Notice of Allowability on page 2 in section 4, the Examiner relies on discussion of the invention in the specification on page 9, line 14, to page 10, line 2. The specification on page 9, lines 14-16, references the term "taxpayer." The term "taxpayer," however, is not recited in claims 21, 26, and 50. Hence, this aspect of the invention is not to be used to interpret claims 21, 26, and 50.

Fourth, as per claims 21, 26, and 50, in the Notice of Allowability on page 2 in section 4, the Examiner relies on the remarks filed March 5, 2003 on page 8, line 25, to page 9, line 3, and on page 9, lines 10-14. These remarks, however, are directed to claim 27, and not claims 21, 26, and 50. Claim 27 was cancelled by the Examiner's Amendment accompanying the Notice of Allowability. Hence, these remarks are not to be used to interpret claims 21, 26, and 50.

THEREFORE, it is requested that the Examiner's Statement of Reasons for Allowance does not place any unwarranted interpretations on the claims.

Respectfully submitted,

Date: August 19, 2003



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FINAL DEADLINE 01/09/2004

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EXAMINER

IRSHADULLAH, M

ART UNIT

CLASS-SUBCLASS

3623

705-031000

DATE MAILED: 07/30/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,707	02/06/2001	David S. Miller	31921-169140	5703

TITLE OF INVENTION: SYSTEM FOR COLLECTING TAX DATA

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$0	\$1300	10/30/2003

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTO-8SB (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

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Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

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26694 7590 07/30/2003

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(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,707	02/06/2001	David S. Miller	31921-169140	5703

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nonprovisional	NO	\$1300	\$0	\$1300	10/30/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
IRSHADULLAH, M	3623	705-031000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

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New York, New York

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Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) (Date) August 19, 2003
Michael A. Sartori, Ph.D. Reg. No. 41,289

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